

# **EXHIBIT 24**

**Affidavit of Edward Tender**

**STATE OF NORTH CAROLINA  
RICHMOND COUNTY**

**IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
96CRS1596**

I, Edward Lewis Tender, being first duly sworn, depose and say:

1. I am over 18 years of age, legally competent to give this affidavit, and have personal knowledge of the facts set forth in this affidavit.
2. I make these statements to Larry C. Upchurch and Mary Brenda Richardson who have identified themselves to me as investigators with North Carolina Prisoner Legal Services.
3. In 1998 I testified at two trials in which the defendant was Derrick McRae. He was charged with the murder of Jerry Rankin.
4. At both trials I testified that Derrick McRae confessed to me that he killed Jerry Rankin.
5. I further testified that he made these confessions to me while we were both inmates in the county jail.
6. I was in jail at the time facing several charges and facing about 20 years in prison.
7. I sent a note to the detectives working the Rankin murder investigation telling them that I had information about the case and asking them to come speak with me.
8. The detectives spoke with me and told me that they would help me with my charges if I helped them with the Rankin murder case.
9. I then told the detectives that McRae confessed to me that he (McRae) killed Jerry Rankin.
10. After testifying to this at both trials, my charges were reduced from felonies to misdemeanors and I received a 21 day suspended sentence.
11. I provided false statements to the detectives and testified falsely against Derrick McRae to improve my outcome on my cases.
12. Derrick McRae never told me he killed Jerry Rankin.
13. I am coming forward now because for years my conscience has been bothering me and I want to do the right thing.

13. I am willing to testify at any hearing or court proceeding and will tell the truth which is Derrick McRae never told me that he killed Jerry Rankin.

14. I have reviewed the above statement for accuracy and I swear that it is true.

Further affiant sayeth not.



Signature

Edward L. Tender  
Printed Name

3-21-2013  
Date

State of North Carolina  
County of Richmond

On this, the 21 day of MARCH, 2013, the above-signed affiant, Edward Tender personally appeared before me, a notary public, and acknowledged that he executed the same.

In witness hereof, I hereunto set my hand and official seal.

Subscribed and sworn to before me this the 21 day of MARCH, 2013.

Notary Public Mary Richardson  
My Commission expires: 3/9/18

